

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Daniel J. McKernan et al.  
Serial No.: 10/039,857  
Filing Date: 10/26/2001  
For: METHOD AND APPARATUS FOR FIXING A GRAFT  
IN A BONE TUNNEL  
Group Art Unit No.: 3738  
Examiner: Hieu Phan  
Attorney's Docket No.: MIT-0246

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.56, 1.97 and 1.98, Applicants hereby submit documents and information which may be considered material to the examination of this application. These documents and information are listed on the accompanying forms.

Copies of documents 1-22, which are listed on the accompanying Form PTO/SB/08A (substitute for Form PTO-1449), are enclosed herewith.

Applicants respectfully request that these documents be fully considered by the U.S. Patent and Trademark Office during the examination of this application and printed on any patent which may issue on this application. Applicants also respectfully request that a copy of the Form PTO/SB/08A (substitute for Form PTO-1449) (two pages), submitted herewith, as considered and initialed by the Examiner, be returned to the undersigned with the next communication.

It is believed that this disclosure complies with the requirements of 37 CFR 1.56, 1.97 and 1.98. If for any reason the Examiner considers otherwise, it is respectfully requested that the undersigned be contacted by the Examiner by telephone in order that any deficiencies may be expeditiously remedied.

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*A check in the amount of One Hundred Eighty Dollars (\$180.00) payable to the Commissioner of Patents and Trademarks also is enclosed herewith to cover the fee due in connection with this submission.*

The enclosed documents may have markings thereon. Applicants are not presently aware of the source of those markings, and no significance is meant to be attached thereto.

Please charge any additional fees due in connection with this submission, or credit any overpayment, to Deposit Account No. 16-0221. A duplicate copy of this submission is enclosed for the convenience of the Examiner.

Thank you.

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\_\_\_\_\_  
Scott R. Foster


(NAME OF ATTORNEY)

\_\_\_\_\_  
  
(SIGNATURE)

\_\_\_\_\_  
April 25, 2005

(DATE OF SIGNATURE)

Respectfully submitted,

  
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PTO/SB/08A (10-96)  
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Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			<b>Complete if Known</b>	
			<b>Application Number</b>	10/039,857
			<b>Filing Date</b>	10/26/2001
			<b>First Named Inventor</b>	Daniel J. McKernan et al.
			<b>Group Art Unit</b>	3738
			<b>Examiner Name</b>	Hieu Phan
<b>Sheet</b>	1	of	2	<b>Attorney Docket Number</b> MIT-0246

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	3,973,277		Semple et al.	08-10-1976	
	2	4,898,156		Gatturna et al.	02-06-1990	
	3	4,899,743		Nicholson et al.	02-13-1990	
	4	4,901,711		Goble et al.	02-20-1990	
	5	4,950,270		Bowman et al.	08-21-1990	
	6	4,968,315		Gatturna	11-06-1990	
	7	4,985,032		Goble	01-15-1991	
	8	5,004,474		Fronk et al.	04-02-1991	
	9	5,067,962		Campbell et al.	11-26-1991	
	10	5,147,362		Goble	09-15-1992	
	11	5,152,764		Goble	10-06-1992	
	12	5,266,075		Clark et al.	11-30-1993	
	13	5,350,380		Goble et al.	09-27-1994	
	14	5,356,413		Martins et al.	10-18-1994	
	15	5,356,435		Thein	10-18-1994	
	16	5,372,599		Martins	12-13-1994	
	17	5,376,119		Zimmermann et al.	12-27-1994	
	18	5,393,302		Clark et al.	02-28-1995	
	19	5,397,356		Goble et al.	03-14-1995	
	20	5,431,651		Goble	07-11-1995	

FOREIGN PATENT DOCUMENTS								
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO

*(use as many sheets as necessary)*

Sheet 2 of 2

**Complete if Known**

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<b>First Named Inventor</b>	Daniel J. McKernan et al.
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<b>Examiner Name</b>	Hieu Phan
<b>Attorney Docket Number</b>	MIT-0246

## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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